



## Committee of the Whole Report For the Meeting of January 28, 2021

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**To:** Committee of the Whole **Date:** January 14, 2021

**From:** Karen Hoese, Director, Sustainable Planning and Community Development

**Subject:** Update on Development Permit with Variance Application No. 00129 for 1035 Joan Crescent

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### RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00129 for 1035 Joan Crescent, in accordance with:

1. Plans date stamped September 29, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - i. reduce the front yard setback from 10.50 metres to 3.22 metres.
3. The Development Permit lapsing two years from the date of this resolution.”

### LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with updated information, analysis and recommendations for a Development Permit with Variance Application for the property located at 1035 Joan Crescent. The proposal is to construct a semi-attached dwelling. The variance is related to reducing the front setback from 10.5 metres to 3.22 metres.

## BACKGROUND

On May 21, 2020, Council passed a motion (attached) referring this Development Permit with Variance Application back to staff to work with the applicant to ensure greater consistency with the duplex design guidelines. In this instance, the duplex design guidelines do not apply because the property is in Development Permit Area (DPA) 15C: Intensive Residential – Rockland instead of DPA 15D: Intensive Residential – Duplex. However, the design guidelines noted in DPA 15C: Intensive Residential – Rockland do apply and a review of the proposal's consistency with these guidelines is provided below.

## UPDATE

### Consistency with Design Guidelines

The *Official Community Plan, 2012* (OCP) identifies this property with in DPA 15C: Intensive Residential – Rockland. The design guidelines that apply are the *Advisory Design Guidelines for Buildings, Signs and Awnings* (1981) and the *Design Guidelines for Attached and Semi-Attached Dwelling in the Rockland Neighbourhood* (2011). The guidelines emphasize the importance of the relationship between buildings and the surrounding landscape, both natural and man made, encouraging new semi-attached buildings to respect this established character of the neighbourhood. The proposal is considered consistent with these Guidelines in the following ways:

- existing and natural landscape features are retained and incorporated into the development, including historic rock walls and stairs along the front and west side of the property, several Garry oaks and other mature trees
- new landscaping in the front yard would contribute to the pattern of established front yard landscaping along the street
- the traditional design of the semi-attached dwelling is sympathetic to the character of the area, incorporating details such as a low-pitched roof with deeper eaves, soffit and window trim details and vertical window bays that are complimentary to nearby buildings with heritage significance
- the staggered façade of the building helps to break up the building massing into smaller forms that are generally consistent in scale with nearby contemporary buildings
- the proposed building maintains the established setback from Joan Crescent respecting the existing streetscape and does not intrude upon views of any historic buildings on the street
- parking is not a dominant feature of the development and the proposed driveway would be surfaced with permeable pavers which reduces run-off and minimizes the impact of hard surfacing on the critical root zones of nearby trees
- the proposed building would have minimal impact on the privacy of adjacent properties.

### Common Roof

The R1-A Zone requires a common roof connection for semi-attached dwellings while allowing the dwelling units to be separated horizontally (i.e., no common wall requirement). This provision allows for greater flexibility in building design so that new developments can respond to and preserve unique characteristics which may be present on a site. The proposed semi-attached dwelling is designed as two distinct yet complimentary dwellings which are structurally connected but staggered on the irregular shaped lot. With the revised proposal, the dwellings

are now connected on the second storey and share a common main roof. The modified roofline and second storey connection create a stronger visual connection between the two units; however, by staggering the two units, the proposed building is able to provide larger side yard setbacks, which preserves more of the landscape features that contribute to the neighbourhood character of the area, which is consistent with the design guidelines and the R1-A Zoning regulations.

### Data Table

The following data table compares the current and previous proposals with the existing R1-A Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Current Proposal	Previous Proposal	R1-A Zone
Site area (m <sup>2</sup> ) – minimum	1729.69	1729.69	1670 (for semi-attached dwelling)
Site area per unit (m <sup>2</sup> ) – minimum	864.85	864.85	835
Number of units – maximum	2	2	2
Density (Floor Space Ratio) – maximum	0.33	0.31	N/A
Total floor area (m <sup>2</sup> ) – maximum	562.37	538.42	N/A
Lot width (m) – minimum	41.14	41.14	24
Height (m) – maximum	7.42	7.35	7.60
Storeys – maximum	2	2	2.5
Site coverage (%) – maximum	23.08	23.08	25
<b>Setbacks (m) – minimum</b>			
Front	<b>3.22</b>	<b>3.22 *</b>	10.50
Rear (north)	7.91	7.91	7.50
Side (west)	7.07	7.07	3.00
Side (east)	4.63	4.63	3.00
Parking – minimum	3	3	2

## **Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on October 5, 2020 the application was referred to the Rockland CALUC. A response had not been received from the CALUC at the time of writing. The applicant also indicates in the attached letter to Mayor and Council that they consulted with members of the CALUC prior to making the latest revisions to the proposal.

This application proposes variances; therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

## **CONCLUSIONS**

The applicant has made modifications to the proposal to strengthen the degree of connection between the semi-attached dwelling units and the proposal is considered consistent with the Design Guidelines for DPA 15C; therefore, it is recommended that the application proceed to an opportunity for public comment.

## **ALTERNATE MOTION**

That Council decline Development Permit with Variance Application No. 00129 for the property located at 1035 Joan Crescent.

Respectfully submitted,

Alec Johnston  
Senior Planner  
Development Services Division

Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

**Report accepted and recommended by the City Manager.**

## **List of Attachments**

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped January 12, 2021
- Attachment D: Letter from applicant to Mayor and Council
- Attachment E: Staff report and attachments presented at the May 21, 2020 Committee of the Whole meeting
- Attachment F: May 21, 2020 Committee of the Whole meeting minutes
- Attachment G: May 28, 2020 Council meeting minutes.